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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,143	05/30/2001	Bruce S. Campbell	00-5018(b)	8858

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EXAMINER

ELISCA, PIERRE E

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 04/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/870,143

Applicant(s)  
Bruce S. Campbell

Examiner  
Pierre E. Elisca

Art Unit  
3621



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05/30/2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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**Examiner Pierre Eddy Elisca**  
**United States Department of Commerce**  
**Patent and Trademark Office**  
**Washington, D.C. 20231**

**DETAILED ACTION**

1. This Office action is in response to Application No. 09/870,143, filed on 05/30/2001.
2. Claims 1-22 are presented for examination.

***Claim Rejections - 35 USC § 103 (a)***

3. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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**4. Claims 1-22 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Heindel et al. (U.S. Pat. No. 6,304,857) in view of Vasell et al. (U.S. pat. No. 6,496,575).**

**As per claims 1, 2, 4, 6-13, and 15-22 Heindel discloses an electronic billing system/method that provides a set of tools for a biller to create and design a customized billing statement. The biller integration system and service center are each equipped with a gateway to facilitate the exchange of the statement template and billing data, comprising:**

**a secure partition associated with a gateway and operable to control access to at least one utility service and a bundle associated with the secure partition (see., abstract, fig 3, third party billing service center, gateway);**

**a consumer service associated with the secure partition (see., col 1, lines 20-34);**

**an application programmer interface bundle associated with the secure partition and providing at least one support function to the consumer service (see., col 9, lines 40-55);**

**a provisioning service associated with the secure partition and API bundle, the provisioning service operable to install the consumer service (see., col 9, lines 40-55, transfer service);**

**a billing service associated with the secure partition and the bundle, the billing service operable to provide billing capabilities to the consumer service (see., abstract, billing service center);**

**a profile service associated with the secure partition and the API bundle, the profile service operable to store a user profile (see., abstract, specifically wherein it is stated that billing service center, which generates the electronic billing statements in the biller-designed format or profile);**

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an authentication service associated with the secure partition and the API bundle, the authentication service operable to authorize a user associated with the gateway, a remote logging service associated with the secure partition and the API bundle, the remote logging service operable to log an event associated with the consumer service (see., col 5, lines 46-55, col 8, lines 9-22, please note that gateways 86 and 88 are for authenticating consumers). It is to be noted that Heindel fails to explicitly disclose a maintenance service associated with the secure partition and the API bundle. However, Vasell discloses a service gateway system that facilitates the development, implementation, operation and maintenance of services (see., col 2, lines 60-67). Accordingly, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the electronic billing of Heindel by including the limitation detailed above because such modification would provide the electronic billing of Heindel with the enhanced capability of monitoring operation in an integrated manner.

As per claims 3, 14, Heindel discloses the claimed limitations of providing consumer services according to claim 1, wherein the billing service is further operable to receive a request from the consumer service, bill the user in response to the request (see., abstract, specifically wherein it is stated that gateway interfacing biller and service center, col 8, lines 9-22).

As per claim 5, Heindel discloses the claimed limitations wherein the consumer service is operable to receive the user preference information from the profile service, and customize functionality

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associated with the consumer service based on the user preference information (see., abstract, specifically wherein it is stated that a biller to create and design a customized billing statement in the biller-designed format).

***Conclusion***

5. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

**Any response to this action should be mailed to:**

Commissioner of patents and Trademarks

Washington, D.C. 20231

The Official Fax Number For TC-3600 is:

**(703) 305-7687**

  
Pierre Eddy Elisca

Patent Examiner

**April 22, 2003**